

§ 983.24

§ 983.24 Producer.

Producer means any person engaged within the production area in a proprietary capacity in the production of pistachios for sale.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

§ 983.25 Production area.

Production Area means the States of California, Arizona, and New Mexico.

[74 FR 56539, Nov. 2, 2009]

§ 983.26 Production year.

Production year is synonymous with “fiscal period” and means the period beginning on September 1 and ending on August 31 of each year or such other period as may be recommended by the committee and approved by the Secretary. Pistachios harvested and received in August of any year shall be applied to the subsequent production year for marketing order purposes.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

§ 983.27 Proprietary capacity.

Proprietary capacity means the capacity or interest of a producer or handler that, either directly or through one or more intermediaries, is a property owner together with all the appurtenant rights of an owner including the right to vote the interest in that capacity as an individual, a shareholder, member of a cooperative, partner, trustee or in any other capacity with respect to any other business unit.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

§ 983.28 Secretary.

Secretary means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to act in his/her stead.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

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§ 983.29 Shelled pistachios.

Shelled pistachios means pistachio kernels, or portions of kernels, after the pistachio shells have been removed.

[69 FR 17850, Apr. 4, 2004. Redesignated at 74 FR 56539, Nov. 2, 2009]

§ 983.30 Substandard pistachios.

Substandard pistachios means pistachios, inshell or shelled, which do not meet regulations established pursuant to §§ 983.50 and 983.51.

[74 FR 56540, Nov. 2, 2009]

ADMINISTRATIVE COMMITTEE

§ 983.41 Establishment and membership.

There is hereby established an administrative committee for pistachios to administer the terms and provisions of this part. This committee, consisting of twelve (12) member positions, each of whom shall have an alternate, shall be allocated as follows:

(a) *Handlers*. Two of the members shall represent handlers, as follows:

(1) One handler member nominated by one vote for each handler; and

(2) One handler member nominated by voting based on each handler casting one vote for each ton (or portion thereof) of the assessed weight of pistachios processed by such handler during the two production years preceding the production year in which the nominations are made.

(b) *Producers*. Nine members shall represent producers. Producers within the respective districts shall nominate four producers from District 1, three producers from District 2, one producer from District 3, and one producer from District 4. The Secretary, upon recommendation of the committee, may reapportion producer representation among the districts to ensure proper representation.

(c) *Public member*. One member shall be a public member who is neither a producer nor a handler and shall have all the powers, rights and privileges of any other member of the committee. The public member and alternate public member shall be nominated by the